UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,523	10/08/2003	Chia-Hsin Li	AP176HO	9645

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EPSON RESEARCH AND DEVELOPMENT INC
INTELLECTUAL PROPERTY DEPT
2580 ORCHARD PARKWAY, SUITE 225
SAN JOSE, CA 95131

EXAMINER
LIU, LIN

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/681,523	LI ET AL.
	Examiner	Art Unit	
	Lin Liu	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10/08/2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *See Continuation Sheet*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :05/15/2007, 03/11/2004, 10/08/2003.

DETAILED ACTION

1.   This office action is responsive to communications filed on 10/08/2003.

Claims 1-30 are pending and have been examined.

2.   The information disclosure statement (I.D.S) filed on 10/08/2003, 03/11/2004 and

05/15/2007 are considered.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   Claims 1-6 and 12-17 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

For claims 1 and 12, the term "library call" is vague and indefinite as what

applicant refers it to as. Claims 2-6 depend on claim 1 and claims 13-16 depend on

claim 12, thus they are rejected under the same rationale.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

6.   **Claims 12-22** are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

With regard to **claims 12 and 18**, the instant claims are directed toward a

computer program instructions recorded on a computer readable medium; wherein the

computer readable medium can be an electromagnetic carrier wave or transmission

signal over a distributed network (see Specification, paragraph 44). Claims directed

toward software alone refer to functional descriptive material, which is per se non-

statutory. Claims 13-17 depend on claim 12, and claims 19-22 depend on claim 18, thus

they are rejected under the same rationale.

Double Patenting

7.   The nonstatutory double patenting rejection is based on a judicially created
doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the
unjustified or improper timewise extension of the "right to exclude" granted by a patent
and to prevent possible harassment by multiple assignees. · A nonstatutory
obviousness-type double patenting rejection is appropriate where the conflicting claims
are not identical, but at least one examined application claim is not patentably distinct
from the reference claim(s) because the examined application claim is either anticipated
by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140
F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29
USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir.
1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422
F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163
USPQ 644 (CCPA 1969).
       A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d)
may be used to overcome an actual or provisional rejection based on a nonstatutory
double patenting ground provided the conflicting application or patent either is shown to
be commonly owned with this application, or claims an invention made as a result of
activities undertaken within the scope of a joint research agreement.
       Effective January 1, 1994, a registered attorney or agent of record may sign a
terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with
37 CFR 3.73(b).

8.   **Claims 1-26** are provisionally rejected on the ground of nonstatutory

obviousness-type double patenting as being unpatentable over claims 1-26 of

copending Application No. 10/990274 in view of **Eisenberg et al. (publication no.: US 2006/0168321 A1).**

9.   The instant claims of the present application do not explicitly disclose wherein the TCP/IP header includes a TCP SEQ number and a TCP ACK number. However, Eisenberg discloses including a TCP SEQ number in the TCP/IP header (Eisenberg, page 7, paragraph 109, noted the TCP/IP sequence number information of the packet is included inside the packet.), a TCP ACK number (Eisenberg, page 8, paragraph 112, noted ACK is set in the header). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the instant claims of the present invention to include the TCP/IP sequence number and a ACK number in the header as taught by Eisenberg with the motivation being that it provides better quality of service in delivering packets from one end to another.

10.   This is a <u>provisional</u> obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claims of present application	Claims of application no.: 10/990274
Claim 1	Claim 1
1. A method for tunneling data associated with a packet based multimedia communication standard, comprising: intercepting a library call associated with the multimedia communication standard; registering identification data associated with the library call; adding a Transmission Control Protocol/Internet Protocol (TCP/IP) header	1. A method for tunneling data associated with a packet based multimedia communication standard, comprising: intercepting a library call associated with the multimedia communication standard; registering identification data associated with the library call; adding a Transmission Control Protocol/Internet Protocol (TCP/IP) header

over a pre-existing header of a data packet related to the identification data; and transmitting the data packet having the (TCP/IP) header through a firewall.	over a pre-existing header of a data packet related to the identification data; and transmitting the data packet having the (TCP/IP) header through a firewall, **wherein the TCP/IP header includes a TCP SEQ number and a TCP ACK number.**
Claim 7	Claim 7
7. A method for communicating port traffic through a single Hypertext Transfer Protocol (HTTP) port, comprising: a) establishing a connection between a first and second computing device; b) transmitting allocation data associated with the port traffic to a tunneling driver; c) segmenting the port traffic into datagrams; d) appending a first header to each one of the datagrams; and e) appending a Transmission Control Protocol/Internet Protocol (TCP/IP) header over the first header, **wherein the TCP/IP header is configured to direct each one of the datagrams to the single HTTP port.**	7. A method for communicating port traffic through a single Hypertext Transfer Protocol (HTTP) port, comprising: a) establishing a connection between a first and second computing device; b) transmitting allocation data associated with the port traffic to a tunneling driver; c) segmenting the port traffic into datagrams; d) appending a first header to each one of the datagrams; and e) appending a Transmission Control Protocol/ Internet Protocol (TCP/IP) header over the first header, **wherein the TCP/IP header includes a TCP SEQ number and a TCP ACK number and is configured to direct each one of the datagrams to the single HTTP port.**
Claim 12	Claim 12
12. A computer readable medium having program instructions for tunneling data associated with a packet based multimedia communication standard, comprising: program instructions for intercepting a	12. A computer readable medium having program instructions for tunneling data associated with a packet based multimedia communication standard, comprising: program instructions for intercepting a

library call associated with the multimedia communication standard;	library call associated with the multimedia communication standard;
program instructions for registering identification data associated with the library call;	program instructions for registering identification data associated with the library call;
program instructions for adding a Transmission Control Protocol/Internet Protocol (TCP/IP) header over a pre-existing header of a data packet related to the identification data; and	program instructions for adding a Transmission Control Protocol/Internet Protocol (TCP/IP) header over a pre-existing header of a data packet related to the identification data; and
program instructions for transmitting the data packet having the (TCP/IP) header through a firewall.	program instructions for transmitting the data packet having the TCP/IP header through a firewall **wherein the TCP/IP header is a simulated stateful TCP/IP header and includes a TCP SEQ number and a TCP ACK number.**
Claim 18	Claim 18
18. A computer readable medium having program instructions for communicating port traffic through a single Hypertext Transfer Protocol (HTTP) port, comprising:	18. A computer readable medium having program instructions for communicating port traffic through a single Hypertext Transfer Protocol (HTTP) port, comprising:
a) program instructions for establishing a connection between a first and second computing device;	a) program instructions for establishing a connection between a first and second computing device;
b) program instructions for transmitting allocation data associated with the port traffic to a tunneling driver;	b) program instructions for transmitting allocation data associated with the port traffic to a tunneling driver;
c) program instructions for segmenting the port traffic into datagrams;	c) program instructions for segmenting the port traffic into datagrams;
d) program instructions for appending a first header to each one of the datagrams; and	d) program instructions for appending a first header to each one of the datagrams; and
e) program instructions for appending a Transmission Control Protocol/Internet	e) program instructions for appending a Transmission Control Protocol/Internet

Protocol (TCP/IP) header over the first header, wherein the TCP/IP header is configured to direct each one of the datagrams to the single HTTP port.	Protocol (TCP/IP) header over the first header, wherein the TCP/IP header is a simulated stateful TCP/IP header having a TCP SEQ number and a TCP ACK number and is configured to direct each one of the datagrams to the single HTTP port.
Claim 23	Claim 23
23. A system for tunneling port traffic destined for multiple ports through a single port, comprising: a server configured to transmit data packets each having a tunneling header in addition to a packet header; a firewall limiting a number of unblocked TCP ports, the firewall capable of analyzing the tunneling header, wherein the tunneling header is associated with the single port so that the firewall allows the data packets to pass through; and a client configured to receive the data packets from the firewall through the single port, the client further configured to identify a flag and a checksum associated with the tunneling header in order to strip the tunneling header for access to the packet header.	23. A system for tunneling port traffic destined for multiple ports through a single port, comprising: a server configured to transmit data packets each having a tunneling header in addition to a packet header; a firewall limiting a number of unblocked TCP ports, the firewall capable of analyzing the tunneling header, wherein the tunneling header is associated with the single port so that the firewall allows the data packets to pass through; and a client configured to receive the data packets from the firewall through the single port, the client further configured to identify a flag and a checksum associated with the tunneling header in order to strip the tunneling header for access to the packet header, wherein the tunneling header is stateful having a TCP SEQ number and a TCP ACK number.

Claim Rejections - 35 USC § 102

11.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12.   **Claims 1-3, 5-9, 12-14, 16-21, 23, 25-30** are rejected under 35 U.S.C. 102(e) as

being anticipated by **Eisenberg et al. (Publication no.: US 2006/0168321 A1).**

Consider **claim 1,** Eisenberg teaches a method for tunneling data associated

with a packet based multimedia communication standard (Eisenberg, figs 2-4),

comprising:

intercepting a library call associated with the multimedia communication standard

(Eisenberg, page 3, paragraph 46, 54 and page 7 paragraph 109, noted the interception

of TCP request call from an application);

registering identification data associated with the library call (Eisenberg, page 3,

paragraph 54 and page 8 paragraphs 111-112);

adding a Transmission Control Protocol/Internet Protocol (TCP/IP) header over a

pre-existing header of a data packet related to the identification data (Eisenberg, page 2

paragraph 18, page 3 paragraph 44, and page 8 paragraph 111, wrapping the TCP/IP

packet with an additional header in the TCP/IP frame); and

transmitting the data packet having the (TCP/IP) header through a firewall

(Eisenberg, page 3, paragraph 47 and page 6 paragraph 87, noted that the tunneled

data is traversed though the firewall).

Consider **claim 2,** Eisenberg teaches the method of claim 1, wherein the method

operation of registering identification data associated with the library call includes,

checking if a port number and a protocol type are defined in a table (Eisenberg,

page 8, paragraph 111, noted the IP port information);

if the port number and the protocol type are not defined in the table, the method

includes, adding the port number and the protocol type to the table (Eisenberg, page 8,

paragraph 111).

Consider **claim 3,** Eisenberg teaches the method of claim 1, wherein the

identification data includes a port number and a protocol type associated with the data

packet (Eisenberg, page 8, paragraph 111, noted the IP port for UDP packet).

Consider **claim 5,** Eisenberg teaches the method of claim 2, wherein the port

number is port 80 and the protocol type is a TCP (Eisenberg, page 7, paragraph 103,

noted the HTTP protocol, it is an inherent feature for HTTP protocol to have port 80

open).

Consider **claim 6,** Eisenberg teaches the method of claim 1, wherein the method

operation of registering identification data associated with the library call is done prior to

advancing data associated with the library call from an application level of a protocol

stack of the packet based multimedia communication standard to a driver level of the

packet based multimedia communication standard (Eisenberg, page 3, paragraph 46,

54, noted that the tunnels are created at the application level and the interception of library call is done at the sametime).

Consider **claim 7,** Eisenberg teaches a method for communicating port traffic through a single Hypertext Transfer Protocol (HTTP) port, comprising:

a) establishing a connection between a first and second computing device (Eisenberg, fig. 2, page 4, paragraph 61);

b) transmitting allocation data associated with the port traffic to a tunneling driver (Eisenberg, page 5, paragraph 77, page 6, paragraph 87);

c) segmenting the port traffic into datagrams (Eisenberg, page 4, paragraph 69 and page 8, paragraph 111);

d) appending a first header to each one of the datagrams (Eisenberg, page 8, paragraph 111, noted the original packet header); and

e) appending a Transmission Control Protocol/Internet Protocol (TCP/IP) header over the first header, wherein the TCP/IP header is configured to direct each one of the datagrams to the single HTTP port (Eisenberg, page 2 paragraph 18, page 3 paragraph 44, and page 8 paragraph 111, wrapping the TCP/IP packet with an additional header in the TCP/IP frame).

Consider **claim 8,** the limitations of this claim are substantially the same as those in claim 5. Therefore the same rationale for rejecting claim 5 is used to reject claim 8. By this rationale **claim 8** is rejected.

Consider **claim 9,** the limitations of this claim are substantially the same as those in claim 3. Therefore the same rationale for rejecting claim 3 is used to reject claim 9. By this rationale **claim 9** is rejected.

Consider **claims 12-14,** the limitations of these claims are substantially the same as those in claims 1-3. Therefore the same rationale for rejecting claims 1-3 is used to reject claims 12-14. By this rationale **claims 12-14** are rejected.

Consider **claims 16-17,** the limitations of these claims are substantially the same as those in claims 5-6. Therefore the same rationale for rejecting claims 5-6 is used to reject claims 16-17. By this rationale **claims 16-17** are rejected.

Consider **claims 18-20,** the limitations of these claims are substantially the same as those in claims 7-9. Therefore the same rationale for rejecting claims 7-9 is used to reject claims 18-20. By this rationale **claims 18-20** are rejected.

Consider **claim 21,** Eisenberg teaches a method wherein the first header is one of a TCP header and a User Datagram Protocol (UDP) (Eisenberg, page 4, paragraph 56, and page 8, paragraph 111).

Consider **claim 23,** Eisenberg teaches a system for tunneling port traffic destined for multiple ports through a single port, comprising:

a server configured to transmit data packets each having a tunneling header in addition to a packet header (Eisenberg, page 2 paragraph 18, page 3 paragraph 44, and page 8 paragraph 111, wrapping the TCP/IP packet with an additional header in the TCP/IP frame);

a firewall limiting a number of unblocked TCP ports, the firewall capable of

analyzing the tunneling header (Eisenberg, page 4, paragraph 61), wherein the

tunneling header is associated with the single port so that the firewall allows the data

packets to pass through (Eisenberg, page 5, paragraph 81); and

a client configured to receive the data packets from the firewall through the single

port (Eisenberg, page 4, paragraph 69), the client further configured to identify a flag

and a checksum associated with the tunneling header in order to strip the tunneling

header for access to the packet header (Eisenberg, page 8, paragraphs 111-112).

Consider **claim 25,** the limitations of this claim are substantially the same as

those in claim 21. Therefore the same rationale for rejecting claim 21 is used to reject

claim 25. By this rationale **claim 25** is rejected.

Consider **claim 26,** the limitations of this claim are substantially the same as

those in claim 5. Therefore the same rationale for rejecting claim 5 is used to reject

claim 26. By this rationale **claim 26** is rejected.

Consider **claim 27,** Eisenberg teaches a communication protocol stack for

enabling multimedia communication between communicating devices, comprising:

at an application level, identifying whether received communication data is for a

communication port (Eisenberg, page 3, paragraphs 46, 54, noted that the tunnels are

created at the application level); and

if the received communication data is for the communication port, forwarding

identification data regarding the received communication data to a table in advance of

forwarding the received communication data to a driver level of the communication

protocol stack (Eisenberg, page 3, paragraphs 46, 54).

Consider **claim 28,** the limitations of this claim are substantially the same as

those in claim 2. Therefore the same rationale for rejecting claim 2 is used to reject

claim 28. By this rationale **claim 28** is rejected.

Consider **claim 29,** Eisenberg teaches the communication protocol stack of claim

28, further comprising: if the identification data associated with the communication data

is listed in the table, inserting a tunneling header over a header of the communication

data (Eisenberg, page 3, paragraphs 46, 54); and incorporating a firewall Internet

protocol address and a firewall port number into the tunneling header (Eisenberg, page

7, paragraph 109, and page 8, paragraph 111).

Consider **claim 30,** Eisenberg teaches the communication protocol stack of claim

27, wherein a tunneling driver associated with the driver level inserts a tunneling header

over a header of the communication data when the communication data is for the

communication port (Eisenberg, page 8, paragraph 111, a new header is encapsulated

in an existing TCP/IP header).

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

14.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

15.   Claims **4, 11, 15, 22 and 24** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Eisenberg et al. (Publication no.: US 2006/0168321 A1)** in view of

Philbrick et al. (publication no.: US 2007/0118665 A1).

Consider **claim 4,** Eisenberg teaches all the claimed limitations except that he

does not explicitly teach a method of inserting a flag into a lower byte of a window size

field of the TCP/IP header; and inserting a checksum into an upper byte of the window

size field of the TCP/IP header.

In the same field of endeavor, Philbrick teaches a method of

inserting a flag into a lower byte of a window size field of the TCP/IP header

(Philbrick, fig. 3, and page 3, paragraph 32); and inserting a checksum into an upper

byte of the window size field of the TCP/IP header (Philbrick, fig. 3, and page 3,

paragraph 32).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time of the invention to incorporate the method of inserting a flag and a checksum

into the window size field of the TCP/IP header as taught by Philbrick in Eisenberg's

invention in order to provide a better quality of service in delivering packets from one end to another.

Consider **claim 11,** the limitations of this claim are substantially the same as those in claim 4. Therefore the same rationale for rejecting claim 4 is used to reject claim 11. By this rationale **claim 11** is rejected.

Consider **claim 15,** the limitations of this claim are substantially the same as those in claim 4. Therefore the same rationale for rejecting claim 4 is used to reject claim 15. By this rationale **claim 15** is rejected.

Consider **claim 22,** the limitations of this claim are substantially the same as those in claim 11. Therefore the same rationale for rejecting claim 11 is used to reject claim 22. By this rationale **claim 22** is rejected.

Consider **claim 24,** the limitations of this claim are substantially the same as those in claim 4. Therefore the same rationale for rejecting claim 4 is used to reject claim 24. By this rationale **claim 24** is rejected.

16.   Claim **10** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Eisenberg et al. (Publication no.: US 2006/0168321 A1)** in view of **Sultan (publication no.: US 2002/0147826 A1).**

Consider **claim 10,** Eisenberg teaches a method of setting an ACK flag in the TCP/IP header (Eisenberg, page 8, paragraph 112). However, he does not explicitly teach a method of setting a SYN flag in the TCP/IP header for initiation of the connection from behind a firewall.

In the same field of endeavor, Sultan teaches a method of setting a SYN flag in

the TCP/IP header for initiation of the connection from behind a firewall (Sultan, page 3,

paragraph 28).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time of the invention to incorporate the method of setting a SYN flag in the TCP/IP

header for initiation of the connection from behind a firewall as taught by Sultan in

Eisenberg's invention in order to show an indication of the session is being initiated for

interprocess communication between the two terminals (Sultan, page 3, paragraph 28).

Conclusion

17.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

- Bavadekar (publication no.: US 2003/0009571 A1) discloses a method for

    providing tunnel connections between entities in a messaging system.

- Tsai et al. (publication no.: US 2004/0029555 A1) discloses a method for

    supporting mobile internet protocol using multiple separate tunnels.

- Kobayashi (patent no.: US 6,977,896 B1) discloses an IP communications

    network system and QOS guaranteeing apparatus.

18.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Lin Liu whose telephone number is (571) 270-1447.

The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

L. Liu
07/23/2007

JASON CARDONE
SUPERVISORY PATENT EXAMINER